

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOHN R. BAKER, JR.,

Plaintiff,

v.

TOWN OF SMYRNA; DAVID S. HUGG,
III, individually and in his official capacity
as Town Manager; JOSEPH HEEGER,
individually and in his official capacity as
Supervisor of Public Works; and
HARVEY LEGGETT, individually and in
his official capacity as Supervisor of Streets,

Defendants.

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C.A. No. 04-1457 (KAJ)

TRIAL BY JURY DEMANDED

PLAINTIFF'S INITIAL DISCLOSURES MADE PURSUANT TO
FED. R. CIV. P. 26(a) (1)

Plaintiff John R. Baker, Jr., by and through his attorneys, Schmittinger and Rodriguez, P.A., hereby discloses the information required by Fed. R. Civ. P. 26(a)(1) to Defendant as follows:

A. The following individuals are likely to have discoverable information that Plaintiff may use to support his claims (but not solely for impeachment):

1. Plaintiff;
2. Defendant David S. Hugg, III, Smyrna Town Manager;
3. Defendant Joseph Heeger, Supervisor of Smyrna Public Works;
4. Defendant Harvey Leggett, Supervisor of Smyrna Streets;
5. James Brown, employee of Town of Smyrna;
6. Theopoles Banes, employee of Town of Smyrna;

B. Copies of all documents, data compilations, and tangible things in the possession, custody, or control of Plaintiff that Plaintiff may use to support his claims (but not solely for impeachment), other than information related to Plaintiff's damages are attached to Plaintiff's

Response to Defendants' First Request for Production of Documents.

C. The categories of damages claimed by Plaintiff are as set forth in Plaintiff's Complaint. These damages are not subject to quantification at this point. Evidence regarding damages will be provided in discovery as requested by Defendant.

D. Plaintiff has no obligation for disclosure pursuant to Fed. R. Civ. P. 16 (a) (1) (D).

SCHMITTINGER & RODRIGUEZ, P.A.

BY: William D. Fletcher, Jr. by Noel E. Primos
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Dated: 7/7/05
WDF/NEP:tc]